IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPEAL NO. 74 OF 2005

NEIL FONSECA, PRESENTLY CENTRAL JAIL, AGUADA GOA. ... Appellant

Versus

STATE THROUGH PUBLIC PROSECUTOR, PANAJI GOA. ... Respondent

Mrs. Asha Dessai, Advocate under Legal Aid Scheme for the Appellant.
Mrs. W. Coutinho, Public Prosecutor for the Respondent.

Coram:- N. A. BRITTO, J.

Date:- 12th October, 2007

P.C.:

For the reasons separately recorded, the appeal deserves to succeed. The impugned judgment and order dated 7/04/2005 is hereby set aside. Consequently, the accused is given benefit of doubt and acquitted under Section 20(b)(ii)(C) of the NDPS Act, 1985. The accused shall be set to liberty forthwith in case he is not required in any other case. MO's shall be disposed of in terms of the order dated 7/04/2005.

N. A. BRITTO, J.

NH